

ATTACHMENT 1

Eligible Applicant Documentation

The San Bernardino County Flood Control District was created by the California Legislature by the San Bernardino Flood Control District Act, Chapter 73, Statutes of 1939, adopted and effective April 20, 1939.

By the legislative action, the District is empowered with broad functions including flood control and prevention; water supply, its protection, development and conservation; watershed and watercourse protective measures; and other wide powers in harmony with these interests. Associated with these are the further powers necessary in their performance such as taxation, bonded indebtedness, land and water rights acquisition and cooperative undertakings with local, state and federal agencies.

Attached is a copy of the legislative document.

Though there are no legal agreements between San Bernardino County Flood Control District and San Bernardino Valley Municipal Water District for this project, the Districts' are working together to ensure the goals and objectives of the proposed project are completed.

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
FLOOD CONTROL DISTRICT
AND RECORD OF ACTION**

April 5, 2011

**FROM: GRANVILLE M. BOWMAN, Flood Control Engineer
Flood Control District**

**SUBJECT: GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF WATER
RESOURCES, STORMWATER FLOOD MANAGEMENT PROGRAM**

RECOMMENDATION(S)

Acting as the Board of Supervisors for the San Bernardino County Flood Control District,

1. Approve grant application for California Department of Water Resources, Stormwater Flood Management Program funding in the amount of \$16,173,493 for improvements to the San Bernardino County Flood Control District's Cactus Basins No. 3, 4 and 5 located in the City of Rialto.
2. Adopt **Resolution 2011-35** that authorizes the application and an agreement with the California Department of Water Resources to receive the grant and authorizes the Flood Control Engineer or the Deputy Flood Control Engineer, to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement.

(Affected Districts: Fifth)

(Presenter: Granville M. Bowman, Flood Control Engineer, 387-7906)

BOARD OF SUPERVISORS COUNTY GOALS AND OBJECTIVES

Create, Maintain and Grow Jobs and Economic Value in the County.

Operate in a Fiscally-Responsible and Business-Like Manner.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

Maintain Public Safety.

FINANCIAL IMPACT

Approval of this item will result in no Net County Costs as the Flood Control District is not financed by the General Fund. The San Bernardino County Flood Control District's ("District") Cactus Basins No. 3, 4 and 5 project is estimated at a total cost of approximately \$34.35 million. Should this application compete successfully, up to approximately \$16.2 million may be awarded to the District to mitigate the cost of this project. The District is expecting to receive an additional \$1 million from another California Department of Water Resources grant. The remaining costs are being financed by funds available in the District's Zone 2 Budget.

Page 1 of 2

w/resolution:
cc: **Flood Control-Walker w/application &**
Bowman
County Counsel-Runyan
CAO-Valdez
File - Flood Control-General
w/application & resolution
ml 04/05/11

ITEM 69

Record of Action of the Board of Supervisors

APPROVED (CONSENT CALENDAR)

**COUNTY OF SAN BERNARDINO
County Flood Control District**

MOTION	<u>AYE</u>	<u>AYE</u>	<u>SECOND</u>	<u>MOVE</u>	<u>AYE</u>
	2	3	4	5	

LAURA H. WELCH, CLERK OF THE BOARD

BY _____

DATED: April 05, 2011

**BOARD OF SUPERVISORS
GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF WATER
RESOURCES, STORMWATER FLOOD MANAGEMENT PROGRAM
APRIL 5, 2011
PAGE 2 OF 2**

BACKGROUND INFORMATION

Approval of this item will approve a grant application for the California Department of Water Resources (DWR), Stormwater Flood Management Program funding in the amount of \$16,173,493 for improvements to the District's Cactus Basins No. 3, 4 and 5 located in the City of Rialto (City). Approval of this item will also adopt a resolution that authorizes the application and an agreement with the DWR to receive the grant and authorizes The Flood Control Engineer or the Deputy Flood Control Engineer, to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement. The Resolution is necessary for this grant application as it is a requirement of the DWR grant application instructions.

DWR has Stormwater Flood Management Program grant funding available pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006 pursuant to and subject to all the terms and provisions of California Public Resources Code Section 75032. The grant has a 50% match requirement.

The District has prepared a grant application for improvements to Cactus Basins No. 3, 4 and 5. This project is currently in the design and environmental design. This is an essential flood control facility, and improvements to this facility will aid in providing storm protection infrastructure in the City and is a primary factor in the City's Airport Specific Plan. These basins will provide flood protection not only to the immediate vicinity, but also to the areas downstream because the basins create a reduction of 80% in the peak outflow. Secondary benefits include the potential for the increase in water supply due to additional recharge capacity, and improved water quality due to decreased floodwater contamination. The Stormwater Flood Management Program is administered by DWR.

Submittal of an application will not guarantee allocation of funds. The grant submittal is due on April 15, 2011.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Scott Runyan, Deputy County Counsel, 387-9022) on March 22, 2011 and the County Administrative Office (Beatriz Valdez, Principal Administrative Analyst, 387-1852) on March 22, 2011.

RESOLUTION NO. 2011-35

RESOLUTION OF THE BOARD OF SUPERVISORS
SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
AUTHORIZING GRANT APPLICATION AND EXECUTION
OF ANY RESULTING AGREEMENT WITH
THE CALIFORNIA DEPARTMENT OF WATER RESOURCES REGARDING THE STORMWATER
FLOOD MANAGEMENT GRANT PROGRAM

On Tuesday, April 5, 2011, on motion of Supervisor Ovitt, duly seconded by Supervisor Derry and carried, the following Resolution is adopted by the Board of Supervisors of the San Bernardino County Flood Control District, State of California.

WHEREAS, the California Department of Water Resources (DWR) has Stormwater Flood Management Program grant funding available pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006 pursuant to and subject to all the terms and provisions of California Public Resources Code Section 75032; and

WHEREAS, the San Bernardino County Flood Control District seeks to obtain Stormwater Flood Management grand funding from the DWR pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006 for Cactus Basins 3, 4 and 5 project, which is currently in design and environmental phase, consisting of the construction of three unlined retention basins and a system of basin inlets and outlets to route storm runoff in a controlled manner.

BE IT FURTHER RESOLVED that the Flood Control Engineer or the Deputy Flood Control Engineer of the San Bernardino County Flood Control District is hereby authorized and directed to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement with the California Department of Water Resources.

PASSED AND ADOPTED by the Board of Supervisors of the San Bernardino County Flood Control District, by the following vote:

AYES: DIRECTORS: Mitzelfelt, Rutherford, Derry, Ovitt, Gonzales

NOES: DIRECTORS: None

ABSENT: DIRECTORS: None

* * * * *

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, **LAURA H. WELCH**, Clerk of the Board of Supervisors of the San Bernardino County Flood Control District, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of Tuesday, April 5, 2011, Item #69, ml.

LAURA H. WELCH
Clerk of the Board of Supervisors

By _____

Deputy



groundwater management plan for the Rialto groundwater basin which lies beneath SBCFCD's Cactus Basins project:

- ✓ Rialto Basin Decree (The Lytle Creek Water and Improvement Company v. Fontana Ranchos Water Company et al, San Bernardino County Superior Court Case Number 81264 dated 1961).
 - Limited to the Rialto Basin.
 - The Rialto Basin Decree limits groundwater pumping by the City of Colton, City of Rialto, Fontana Union Water Company, Citizens Land and Water Company and Lytle Creek Water Improvement Company when the average of the "spring-high water level" for three (3) specified wells descends below a certain level. . Valley District has monitored compliance with the decree since the early 1990's.
 - A committee now called the Rialto Basin Management Board manages the activities of the successor parties to the Rialto Basin Decree. The successor parties are West Valley Water District, City of Colton, City of Rialto and Fontana Union Water Company. The Rialto Basin Management Board has not conducted a meeting in several years.
 - Wells used: Duncan Well, Willow Street Well and Boyd Well
- ✓ Western-San Bernardino Judgment (WMWD et al. v. ESBCWD, et al., Riverside County Superior Court Case Number 78426, Judgment dated April 17, 1969)
 - Covers the "Colton Basin Area" which includes both the Rialto and Colton Basins.
 - Management responsibility is given to a court appointed Watermaster
 - Places limits on groundwater extractions for use inside and outside of San Bernardino Valley Municipal Water District (San Bernardino Valley).
 - The Watermaster verifies the amounts of water extracted from the Colton Basin Area each year by each of the entities.
 - For water pumped from Colton Basin Area and used outside of San Bernardino Valley, Western Municipal Water District is responsible for replenishing any extractions in excess of a specified amount.
 - For water pumped from Colton Basin Area and used within San Bernardino County and within San Bernardino Valley, extractions are

not limited. However, Valley District is responsible for providing replenishment if the average of the fall low water level measurements in three specified wells declines below a certain, specified level. Replenishment would continue until the average water level went back to, or above, the specified average.

- Wells used: Johnson 1, Flume 2 and Flume 5
- Watermaster calculates the average of the measured fall low water levels of the three wells each year and presents the results to the court in an annual report.
- ✓ Annual Regional Water Management Plan, Basin Technical Advisory Committee (BTAC)
 - The Basin Technical Advisory Committee (BTAC) was formed to implement the Upper Santa Ana River Watershed Integrated Regional Water Management Plan.
 - The BTAC is made up of agencies within the Upper Santa Ana River Watershed.
 - The BTAC makes annual water management recommendations to the Western Municipal Water District and Valley District Boards in the form of a Regional Water Management Plan. The plan is released before (Nov/Dec) and after the rainy season (May/June) and is approved by the two Boards.
 - The Regional Water Management Plan includes (Appendix G) the average water level data from the Watermaster.
- ✓ Management of water quality for Rialto basin
 - The retail water agencies are required to take water quality samples from their wells on specified intervals. If levels of any constituent are above the allowable level, they must take corrective action.
 - San Bernardino Valley Municipal Water District performs water quality modeling every three years pursuant to Regional Water Quality Control Board (Regional Board) Resolution R8-2008-0019. The purpose of the modeling is to ensure compliance with the Regional Board's Basin Plan objectives for nitrogen and Total Dissolved Solids (TDS).

In addition, the District has also taken a leadership role in funding the study of the Rialto and Colton basins by the United States Geological Survey (USGS).

- San Bernardino Valley Municipal Water District contracted with the United States Geological Survey to research and document the geology and water quality of the Rialto Basin Area. Linda Woolfenden with the United States Geological Survey published “Geohydrology and Water Chemistry in the Rialto – Colton Basin, San Bernardino County, California in 1997.
- San Bernardino Valley Municipal Water District contracted with the United States Geological Survey to develop a numeric groundwater model for the Rialto – Colton Basin Area. Linda Woolfenden with the United States Geological Survey published “Numerical Simulation of Ground-water Flow and Assessment of the Effects of Artificial Recharge in the Rialto – Colton Basin, San Bernardino County California in 2001.
- California Regional Water Quality Control Board, Santa Ana Region 8 Basin Plan.

ATTACHMENT 1

Consistency with Minimum IRWM Plan Standards

SAWPA's adopted Plan meets each and all of the following minimum standards:

- ◆ Adopted by January 1, 2007, by all appropriate agencies and organizations;

SAWPA's Santa Ana Integrated Watershed Plan, 2005 Update (Plan) was adopted by the SAWPA Board on June 14, 2005.

- ◆ Participation of at least three agencies, two of which have statutory authority over water management, which may include water supply, water quality, flood control, or storm water management;

SAWPA's Plan includes the participation of all of its members, each which have statutory authority over water management, which includes water supply, water quality, flood control, and storm water management. SAWPA member agencies include Eastern Municipal Water District (EMWD), Inland Empire Utilities Agency (IEUA), Orange County Water District (OCWD), San Bernardino Valley Municipal Water District (SBVMWD), and Western Municipal Water District (WMWD).

- ◆ Provides a map of the region showing the local agencies in the area covered by the Plan and the location of the proposed implementation projects;

SAWPA's Plan includes a map of the region showing the local agencies in the area covered by the Plan and the location of the proposed implementation projects.

- ◆ Contains one or more regional objectives;

SAWPA's long term vision for the watershed is:

A sustainable Santa Ana River Watershed supporting economic and environmental vitality, and an enhanced quality of life.

A key component of SAWPA's long term vision, the Plan objective is to lay out an adaptive approach to make the region entirely self sufficient during drought cycles, thereby firming up the regions ability to assure a stable economy, while improving water quality, and also allowing more of the State's scarce water resources to be allocated to wildlife and agriculture during those times. Through this approach SAWPA is able to develop and maintain regional strategies, programs and projects that protect and preserve the water resources of the Santa Ana River basin.

Specific regional objectives of the Plan address the changing goals and needs of the region's water agencies, which are listed as follows:

- Identify and update regional problems, issues, and describe long-term integrated solutions.
 - Recognize and adapt to updates and changes in member and member sub-agencies water resource planning.
 - Review planning time horizons for 2010, 2025, and 2050 of water demands and supplies.
 - Identify and describe a comprehensive mix of water resource projects.
 - Balance and integrate available resources, including projects that enhance the environment.
 - Assure that three years of groundwater storage is maintained in the Santa Ana River Basin by 2020 so that no imported water would be needed under a drought scenario.
 - Assure a salt balance – no net gain in salt volumes – for the Santa Ana River Basin by 2050.
- ◆ Documents that the following water management strategies (water supply reliability, groundwater management, water quality protection and improvement, water recycling, water conservation, storm water capture and management, flood management, recreation and public access, ecosystem restoration, wetlands enhancement and creation, and environmental and habitat protection and improvement) were considered (CWC §§ 79562.5 and 79564) when formulating the IRWM Plan:

SAWPA's Plan considers a broad mix of water management strategies including strategies to address water supply reliability, groundwater management, water quality protection and improvement, water recycling, water conservation, storm water capture and management, flood management, recreation and public access, ecosystem restoration, wetlands enhancement and creation, and environmental and habitat protection and improvement. This is demonstrated through the various projects and programs described in Chapter III, Integrated Regional Watershed Management Strategies of the Plan. The Chapter is divided into six sections, each addressing an area of water management, although many of the included projects are multi-objective serving two or more purposes. Summaries of the projects described in each of these sections are presented in Tables 3-1 through 3-6.

- ◆ Integrates two or more water management strategies listed in Table A-1; **and**

SAWPA's Plan includes numerous projects and programs, which integrate multiple water management strategies. This is demonstrated through the various projects and programs described in Chapter III, Integrated Regional Watershed Management Strategies of the Plan. Project summaries shown as Tables 3-1 through 3-6, identify the various water management strategies addressed each of the projects. Although it is not a requirement of SAWPA, projects included within the plan typically consider multiple water management strategies.

- ◆ Presents project prioritization and a schedule for project implementation to meet regional needs.

SAWPA's Plan includes project prioritization and a schedule for project implementation to meet regional needs. Project prioritization is demonstrated through methodology presented in Chapter IV, Recommended Regional Implementation Plan. This methodology developed by SAWPA, examines a set of physical or technical parameters to evaluate each and rank project. Key parameters used in the analysis included parameters to represent cost/benefit, local matching funds, project readiness, multiple water management strategies, and benefits to disadvantaged communities. Priority ranked projects for the Plan are presented in Table 4-2. SAWPA's schedule for project implementation is presented in figure 4-3 of the Plan.